

Case 9:15-bk-07727-FMD Doc 42 Filed 04/25/19 Page 1 of 11

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No:	15-07727	FMD	Judge:	Caryl E. Delano	Trustee Name:	Luis E. Rivera II
Case Name:	Raul Scott Fails				Date Filed (f) or Converted (c):	07/28/2015 (f)
	Jean M Fails				341(a) Meeting Date:	09/02/2015
For Period Ending:	03/31/2019				Claims Bar Date:	01/04/2016

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 107 Broadmoor Lane, Rotonda West, Florida 33947	109,000.00	0.00		0.00	FA
2. 50% Interest In Property Located At W 348 S10675 Island Driv	150,000.00	0.00		0.00	FA
3. 1/6 Interest In 142 Acres In Richland County, Wi	20,000.00	20,000.00		1,000.00	109,000.00
4. Cash	50.00	0.00		0.00	FA
5. Checking Account With Suntrust Bank	44.00	0.00		0.00	FA
6. Checking Account With Englewood Bank	150.00	37.50		37.50	FA
7. Checking Account With Pyramax Bank	100.00	25.00		25.00	FA
8. Checking Account With Suncoast Fcu	100.00	25.00		25.00	FA
9. Savings Account With Suncoast Fcu	5.00	1.25		1.25	FA
10. Love Seats, 2 Chairs, Lamps, Dining Room Table W Chairs, 4 T	1,500.00	0.00		1,335.00	FA
11. Misc Books, Pictures, Cds And Dvds	10.00	0.00		0.00	FA
12. Clothing	50.00	0.00		0.00	FA
13. Costume Jewelry And Wedding Rings	100.00	0.00		0.00	FA
14. 2 Sets Of Golf Clubs And Bags And Misc. Fishing Tackle	50.00	0.00		660.00	FA
15. Whole Life Insurance Policy With State Farm	500.00	0.00		0.00	FA
16. Whole Life Insurance Policy With American Family	1,000.00	0.00		0.00	FA
17. Term Life Insurance At Work	0.00	0.00		0.00	FA
18. 401 (K) With Principal Financial Group	6,752.76	0.00		0.00	FA
19. 401(K) With Eaton Corp.	87,852.27	0.00		0.00	FA
20. Father's Estate	0.00	0.00		0.00	FA
21. 2004 Buick Rainier W/126,000 Miles (Kbb.Com Fair Condition)	2,759.00	759.00		759.00	FA
22. 2015 Tax Refund (u)	0.00	Unknown		171.00	Unknown
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		0.00	Unknown

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$380,023.03	\$20,847.75	\$4,013.75	\$109,000.00
(Total Dollar Amount in Column 6)				

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Emails to/from Realtor regarding status of listing. Jan. 31, 2019 (LR)

Email to Realtor regarding status of listing. Jan. 21, 2019 (LR)

Reduced listing price to \$459,000.00. Dec. 16, 2018 (LR)

Rev'd offer to purchase; Counter. Email to S. Wistozkey, Esq. regarding offer. Nov.20, 2018 (LR)

E-mail to Realtor to confirming listing is live. Oct. 5, 2018 (LR)

E-mailed signed listing agreement to Andrew Schultz. Sept. 26, 2018 (LR)

Recd Order Approving Application to Employ Andrew Schultz; Prepare and file Proof of Service 9/17/2018 - Anne Migliore

Filed Application to Employ Whitetail Properties as Realtor. Submitted proposed order. Sept. 10, 2018 (LR)

E-mail to Proposed Realtor enclosing draft employment application. Aug. 30, 2018 (LR)

TC with Realtors at Whitetail Properties and UC Hunting Properties regarding potential listing. Aug. 9, 2018 (LR)

Rev'd correspondence from S. Wisotzkey regarding form of letter agreement; Preparation of response. July 2, 2018 (LR)

Correspondence to S. Wisotzkey regarding proposed release of lien. June 11, 2018 (LR)

Follow up e-mail to Rick Kolbriger. Dec. 18, 2017 (LR)

E-mail to Rick Kolbriger. Dec. 7, 2017 (LR)

Telephone conference with S. Wisotzkey, Esq. regarding appraisal of property. Dec. 4, 2017 (LR)

Telephone conference with Rick Kolbriger. Revise Agreement. July24, 2017 (LR)

Telephone conference with Rick Kolbriger regarding offer to purchase estate's interest in Richland County, WI property. March 27, 2017 (LR)

Telephone conference with Rick Kolbriger regarding potential sale of Richland County, WI property. Jan. 20, 2017 (LR)

Recd Order Approving Application of Trustee to Employ Counsel 1/6/2017; Filed Proof of Service 1/9/2017 - Anne Migliore

Filed Application to Employ HFSH & submitted proposed order. E-mail to S. Wisotzkey, Esq. requesting copy of vesting deeds. Correspondence to counsel for Mr. & Mrs. Kreuter regarding sale of Richland County, WI property. Jan. 6, 2017 (LR)

Order Granting Motion for Approval of Stipulation for Repurchase entered 04/21/16; filed Proof of Service. April 25, 2016 (RH)

Submitted proposed Order Granting Motion for Approval of Stipulation. April 19, 2016 (RH)

Filed Withdrawal of Notice of Abandonment. Correspondence to Jessie Leopard requesting referral to Realtor in Richland County, WI. April 11, 2016 (LR)

Filed Motion Approve Stip for Repurchase of Non-Exempt Assets, in addition to, Notice of Abandonment of Property of the Estate. March 25, 2016 (JP)

Case 9:15-bk-07727-FMD Doc 42 Filed 04/25/19 Page 3 of 11

Correspondence to Debtor's Counsel enclosing revised Stipulation for Repurchase of Non-Exempt Assets. Requested copy of 2015 tax return. Mar. 17, 2106 (LR)

Correspondence to Debtor's Counsel enclosing proposed Stipulation for Repurchase of Non-Exempt Assets. March 9, 2016 (JP)

Mailed 2015 tax intercept letter to IRS. Dec. 31, 2015 (JP)

Rec'd offer for 1/6 interests in vacant land. Dec. 30, 2015 (LR)

Order Granting in Part and Denying in Part Motion For Relief From Stay and Abandonment filed by Mark S. Kapsos and Cancelling Hearing Scheduled for October 29, 2015 entered 10/8/15. Oct. 13, 2015 (LR)

Filed Notice of Assets. Preliminary Hearing Order on Motion for Relief from Stay filed by Creditor, Mark S. Kapsos, entered 9/25/15. Hearing scheduled for 10/29/2015 at 09:30 AM at Ft. Myers, FL. Oct. 2, 2015 (LR)

Filed Objection to Motion for Relief from Stay, Motion to Compel Abandonment. Sept. 24, 2015 (LR)

Order Approving Application to Employ Read and Kelley Estate Services, LLC as Appraiser entered 09/10/15; filed Proof of Service. September 11, 2015 (RH)

Filed Application to Employ an Appraiser; submitted proposed Order approving same. September 9, 2015 (RH)

E-mailed initial 341 doc request to counsel. - Jodi Payne 8/24/2015

RE PROP #

10 -- BEDROOM ONE:
 1. Two folding television trays - \$10.00
 2. Vacuum - \$15.00
 3. Lamp - \$6.00

BEDROOM TWO:

- 1. Vintage dresser (damaged) with mirror and headboard - \$100.00
- 2. Mattress and box springs - \$0.00
- 3. Lamp - \$10.00
- 4. Samsung television - \$150.00

DEN / KITCHEN:

- 1. Computer and printer belong to Boca Boats *
- 1. One television tray - \$5.00
- 2. Folding table - \$5.00
- 3. Desk chair - \$8.00
- 4. Kenmore dishwasher - \$40.00
- 5. Hotpoint flat top range - \$170.00
- 6. Panasonic microwave - \$15.00
- 7. Samsung side-by-side refrigerator - \$400.00
- 8. Assorted dishes, pots, pans, utensils, glasses, miscellaneous kitchenware and small appliances - \$35.00

FORMAL LIVING ROOM:

- 1. Dated table, 6 chairs and server - \$200.00
- 2. Two taupe recliners, 3 years old - \$100.00
- 3. Action end loveseat - \$300.00
- 4. Lamp - \$10.00
- 5. Philips television, older - 150.00

MASTER BEDROOM:

- 1. Double bed, 2 night stands, and dresser - \$450.00
- 2. Emerson television - \$65.00

PORCH:

- 1. Samsung television - \$50.00
- 2. LG DVD player - \$6.00
- 3. Grill - \$15.00
- 4. Four person hot tub with cover - \$400.00
- 5. Umbrella on stand - \$20.00
- 6. Table and 6 PVC chairs - \$100.00

RE PROP #

14 -- GARAGE:
 1. Admiral dryer - \$125.00
 2. GE washer - \$100.00
 3. Haier freezer - \$50.00
 4. Ten rods and reels - \$200.00
 5. File cabinet - \$25.00
 6. Ladder - \$20.00
 7. Echo string trimmer - \$40.00
 8. Two sets of golf clubs - \$150.00

Initial Projected Date of Final Report (TFR): 08/31/2017

Current Projected Date of Final Report (TFR): 08/31/2018

Trustee Signature: /s/ Luis E. Rivera II Date: 04/25/2019

Luis E. Rivera II
P.O. Box 1026
Fort Myers, FL 33902
(239) 254-8466
Trustee.Rivera@gray-robinson.com

Case 9:15-bk-07727-FMD Dps 42 FORM 2 Filed 04/25/19 Page 6 of 11
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 15-07727

Case Name: Raul Scott Fails
 Jean M Fails

Taxpayer ID No: XX-XXX0285

For Period Ending: 03/31/2019

Trustee Name: Luis E. Rivera II

Bank Name: Union Bank

Account Number/CD#: XXXXXX8053

Checking

Blanket Bond (per case limit): \$24,397,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
03/16/16	22	United States Treasury	Surrender of 2015 Tax Refund	1224-000	\$171.00		\$171.00
03/25/16		Raul Scott Fails 107 BROADMOOR LANE ROTONDA WEST, FL 33947	Repurchase Non-Exempt Assets		\$2,842.75		\$3,013.75
			Gross Receipts \$2,842.75				
	6		Checking Account With Englewood Bank \$37.50	1129-000			
	7		Checking Account With Pyramax Bank \$25.00	1129-000			
	8		Checking Account With Suncoast Fcu \$25.00	1129-000			
	9		Savings Account With Suncoast Fcu \$1.25	1129-000			
	10		Love Seats, 2 Chairs, Lamps, Dining Room Table W Chairs, 4 T \$1,335.00	1129-000			
	14		2 Sets Of Golf Clubs And Bags And Misc. Fishing Tackle \$660.00	1129-000			
	21		2004 Buick Rainier W/126,000 Miles (Kbb.Com Fair Condition) \$759.00	1129-000			
05/25/16		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,998.75
06/27/16		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,983.75
07/25/16		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,968.75
08/25/16		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,953.75
09/26/16		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,938.75

Page Subtotals:

\$3,013.75

\$75.00

Case 9:15-bk-07727-FMD Dps 42 FORM 2 Filed 04/25/19 Page 7 of 11
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 15-07727

Case Name: Raul Scott Fails
 Jean M Fails

Taxpayer ID No: XX-XXX0285

For Period Ending: 03/31/2019

Trustee Name: Luis E. Rivera II

Bank Name: Union Bank

Account Number/CD#: XXXXXX8053

Checking

Blanket Bond (per case limit): \$24,397,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)
10/25/16		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
11/25/16		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
12/27/16		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
01/25/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
02/27/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
03/27/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
04/25/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
05/25/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
06/26/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
07/25/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00
08/16/17	3	James R. Kreuter DBA Midwest Properties Management 2272 S 67th St West Allis, WI 53219-2007	Liquidation of Asset 3 1/6 Interst in 142 Acres in Richland County, WI	1210-000	\$500.00	\$3,288.75
08/16/17	3	Janiszewski, Karen 34048 Delafield Rd. Oconomowoc, WI 53066	Liquidation of Asset 3 1/6 Interst in 142 Acres in Richland County, WI	1110-000	\$500.00	\$3,788.75

Page Subtotals:

\$1,000.00

\$150.00

Case 9:15-bk-07727-FMD Dps 42 FORM 2 Filed 04/25/19 Page 8 of 11
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 15-07727

Trustee Name: Luis E. Rivera II

Case Name: Raul Scott Fails

Bank Name: Union Bank

Jean M Fails

Account Number/CD#: XXXXXX8053

Taxpayer ID No: XX-XXX0285

Checking

For Period Ending: 03/31/2019

Blanket Bond (per case limit): \$24,397,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
08/25/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$3,773.75
09/25/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$3,758.75
10/25/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$3,743.75
11/27/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$3,728.75
12/26/17		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$3,713.75
01/25/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$3,698.75
02/09/18	30001	Karen Janiszewski 34048 Delafield Rd. Oconomowoc, WI 53066	Refund Deposit for liquidation of Asset 3 (1/6 Interest in 142 Acres)	8500-002		\$500.00	\$3,198.75
02/09/18	30002	James R. Kreuter DBA Midwest Properties Management 2272 S 67th St. West Allis, WI 53219-2007	Refund Deposit for liquidation of Asset 3 (1/6 Interest in 142 Acres)	8500-002		\$500.00	\$2,698.75
02/26/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,683.75
03/26/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,668.75
04/25/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,653.75
05/25/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,638.75

Page Subtotals:

\$0.00

\$1,150.00

Case 9:15-bk-07727-FMD Dps 42 FORM 2 Filed 04/25/19 Page 9 of 11
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 15-07727

Case Name: Raul Scott Fails
Jean M Fails

Taxpayer ID No: XX-XXX0285

For Period Ending: 03/31/2019

Trustee Name: Luis E. Rivera II

Bank Name: Union Bank

Account Number/CD#: XXXXXX8053

Checking

Blanket Bond (per case limit): \$24,397,000.00

Separate Bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
06/25/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,623.75
07/25/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,608.75
08/27/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,593.75
09/25/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,578.75
10/25/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,563.75
11/26/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,548.75
12/26/18		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,533.75
01/25/19		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,518.75
02/25/19		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,503.75
03/25/19		Union Bank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$15.00	\$2,488.75

COLUMN TOTALS	\$4,013.75	\$1,525.00
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$4,013.75	\$1,525.00
Less: Payments to Debtors	\$0.00	\$0.00

Page Subtotals: \$0.00 \$150.00

TOTAL OF ALL ACCOUNTS			NET	ACCOUNT
	NET DEPOSITS	DISBURSEMENTS		BALANCE
XXXXXX8053 - Checking	\$4,013.75	\$1,525.00		\$2,488.75
	\$4,013.75	\$1,525.00		\$2,488.75
	(Excludes account transfers)	(Excludes payments to debtors)	Total Funds on Hand	
Total Allocation Receipts:	\$0.00			
Total Net Deposits:	\$4,013.75			
Total Gross Receipts:	\$4,013.75			

Trustee Signature: /s/ Luis E. Rivera II Date: 04/25/2019

Luis E. Rivera II
 P.O. Box 1026
 Fort Myers, FL 33902
 (239) 254-8466
 Trustee.Rivera@gray-robinson.com